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Historic Preservation Opportunities and Challenges

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Framework

- Under a NEPA Umbrella
  - NEPA Documentation Levels
    - Record of Environmental Consideration (REC). Prepared by affected installation.
    - Environmental Assessment (EA). Prepared by the BRAC NEPA Support Team (NST). Approved by Garrison Commander.
    - Environmental Impact Statement (EIS). Prepared by NST. Signed by Installation. Record of Decision (ROD) signed by the Assistant Chief of Staff for Installation Management (ACSIM).

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BRAC NEPA Documents
8 EISs:
Fort Meade
Aberdeen Proving Ground
Fort Belvoir
Fort Lee
Fort Benning
Fort Carson
Pinon Canyon Maneuver Site
Fort Sam Houston

177 EAs

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- NHPA: Section 106
- Consultation parties
  - SHPO
  - Appropriate Federally-recognized Indian Tribes
  - LRA
  - Local interest (historical and development oriented)

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Opportunities

- Sympathetic redevelopment
  - Requires structure set up in initial Programmatic Agreement
    - Local ordinances
    - Preservation Covenants
  - Requires cooperation between the LRA and SHPO
    - Following covenants
    - Continued consultation
  - Possible Tribal Issues

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Challenges

- BRAC Timeline:
  - Army NEPA completion goals: EAs 6 months, EISs 12 months.
  - Prior ARMY BRAC EIS completion dates ranged between 16 and 48 months.
  - All actions including construction and basing complete by 15 Sep 2011
- Early Transfer Goals
- Competing interests
  - Economic redevelopment
  - Historic Preservation
    - Compliance
    - Maximum preservation safeguards
  - Tribal Interests

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Tribal Interests

- 500 Years of American Indian law and treaty making
- European vs. Tribal concepts of landuse
- Government to Government Relationship
  - Government to Government relations between the Tribes and the Federal Government based on Tribal Sovereignty
  - Trust responsibilities
  - Consultation responsibility
  - Not stakeholders

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- Contemporary Tribal Issues
  - Preservation of traditional culture
  - Prevention of disturbance of ancestral remains
  - Environmental issues
  - Lands of historic interest, not just Indian country today
- Consultation is pre-decisional—not pre-announcement

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Lessons Learned from Previous BRAC Rounds

- Have a consistent approach. The Army's model PA being considered by DoD.
- Taking maintenance issues into account during real estate appraisal of historic properties.
- Strive for an economically successful development. To enable, care with restrictions in covenants a necessary element.
- SHPO awareness of the real estate disposal process.
- Rapid transfer to avoid properties in 'mothballed' state.
- BRAC project managers must maintain an up-to-date list of all stakeholders and consulting parties.

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- Links
  - Army BRAC Website
    - http://www.hqda.army.mil/acsim/brac/braco.htm
  - Army BRAC NEPA Documents Website
    - http://www.hqda.army.mil/acsim/brac/nepa_eis_docs.htm
    - http://www.hqda.army.mil/acsim/brac/env_ea_review.htm
  - Former BRAC Reuse sites
    - http://www.hqda.army.mil/acsim/brac/BaseReuseWebsites.htm
    - http://www.oea.gov/oeaweb.nsf/dayandriser.pdf
  - Advisory Council on Historic Preservation
    - http://achp.gov/bracnotes.html
  - NPS: Historic Tax Credit Basics
    - http://www.oea.gov/oeaweb.nsf/aguilar.pdf

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